

1 Craig A. Brandt, Esq. SB#133905
2 LAW OFFICE OF CRAIG A. BRANDT
3 5354 James Avenue
Oakland, CA 94618
Telephone: (510) 601-1309
Email: craigabrandt@att.net

5 Adam D. Brumm, Esq. SB#257906
Eden Environmental Defenders
6 1520 E. Covell Blvd, Suite B5-611
Davis, CA 95616
7 Telephone: (800) 545-7215, Extension 906
Email: adam@edendefenders.org

9 Attorneys for Plaintiff
10 CENTRAL VALLEY EDEN ENVIRONMENTAL DEFENDERS

11
12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14
15 CENTRAL VALLEY EDEN ENVIRONMENTAL DEFENDERS, LLC, a California limited liability company, } Case No.: 2:22-cv-02174-DJC-JDP
16 Plaintiff, } **AMENDED STIPULATION TO MODIFY THE SCHEDULING ORDER; ORDER**
17 vs. }
18 NUTRIEN AG SOLUTIONS, INC., a California corporation; and DOES 1-10, inclusive, }
19 Defendant. }
20
21
22

23
24 Plaintiff Central Valley Eden Environmental Defenders, LLC (“Plaintiff”) and Defendant Nutrien Ag Solutions, Inc. (“Defendant”) hereby submit this Amended Stipulation to Modify the Court’s Scheduling Order and [Proposed] Order.
25
26
27
28

1 WHEREAS, on April 4, 2023, this Court entered a Scheduling Order [ECF No. 18]
2 setting the fact discovery cut-off date for December 15, 2023; the initial expert disclosure and
3 export report deadline for January 15, 2024; the rebuttal expert disclosure and report deadline for
4 February 15, 2024; and the expert discovery cut-off date for March 15, 2024;

5 WHEREAS, Plaintiff and Defendant are in the process of exploring a settlement of this
6 matter which may include dismissal with prejudice, based primarily on the pending sale and
7 closure of Defendant's property and facility which is the subject of this litigation;

8 WHEREAS, based on the foregoing, Plaintiff and Defendant desire a 90-day extension of
9 the fact and expert discovery deadlines as follows:

10 Fact Discovery Cut-Off date extended to **March 15, 2024**;

11 Initial Expert Disclosure and Reports deadline extended to **April 15, 2024**;

12 Supplemental Expert Disclosure and Reports deadline extended to **May 15, 2024**; and

13 Expert Discovery Cut-Off Date extended to **June 17, 2024**;

14 Dispositive Motion Filing Deadline extended to **August 16, 2024**;

15 Dispositive Motion Hearing Date scheduled for **October 10, 2024, at 1:30 pm**;

16 Final Pretrial Conference scheduled for **December 12, 2024, at 1:30 pm**; and

17 Jury Trial scheduled for **February 10, 2025, at 9:00 am**.

19 Dated: November 8, 2023

Respectfully,

21 By: /S/ Craig A. Brandt

22 Craig A. Brandt

23 Attorney for Plaintiff

24 Dated: November 8, 2023

Respectfully,

26 By: Tiffany R. Hedgpeth

27 Tiffany R. Hedgpeth

28 Attorney for Defendant

ORDER

Good cause appearing, IT IS HEREBY ORDERED that the Fact and Expert Discovery deadlines previously set by this Court's April 4, 2023, Scheduling Order are modified as follows:

Fact Discovery Cut-Off date: **March 15, 2024**;

Initial Expert Disclosure and Reports deadline: **April 15, 2024**;

Rebuttal Expert Disclosure and Reports deadline: **May 15, 2024**;

Expert Discovery Cut-Off Date: **June 17, 2024**;

Dispositive Motion Filing Deadline: August 16, 2024;

Dispositive Motion Hearing Date: **October 10, 2024, at 1:30 pm;**

Final Pretrial Conference: December 12, 2024, at 1:30 pm; and

Jury/Bench Trial: February 10, 2025, at 9:00 am.

IT IS SO ORDERED.

Dated: November 8, 2023

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE